

DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS
Custer School District
Accountability Review (ECF) - Monitoring Report 2010-2011

Team Members: Chris Sargent, Team leader; Linda Shirley, Mary Borgman, Education Specialists

Dates of On Site Visit: March 21, 2011

Date of Report: June 29, 2011

3 month update due: September 29, 2011

Date Received:

6 month update due: December 29, 2011

Date Received:

9 month update due: March 29, 2012

Date Received:

Closed:

Program monitoring and evaluation.

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Office of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

- (1) That the requirements of this article are carried out;
- (2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Native American children operated or funded by the Secretary of the Interior:
 - (a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and
 - (b) Meets the educational standards of the state education agency, including the requirements of this article; and
- (3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

State monitoring--Quantifiable indicators and priority areas.

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

- (1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;
 - (2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and
 - (3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)
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State enforcement -- Determinations.

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Office of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act. (Reference-ARSD 24:05:20:23.04.)

Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order

agencies to take corrective actions and to submit a plan for achieving and documenting full compliance. (Reference-ARSD 24:05:20:20.)

1. GENERAL SUPERVISION

ARSD 24:05:27:01.03. Content of individualized education program. Each student's individualized education program shall include:

- (1) A statement of the student's present levels of academic achievement and functional performance, including:
 - (a) How the student's disability affects the student's involvement and progress in the general education curriculum (i.e., the same curriculum as for nondisabled students); or
 - (3) A statement of the special education and related services and supplementary aids and services, based on peer-reviewed research to the extent practicable, to be provided to the student, or on behalf of the student, and a statement of the program modifications or supports for school personnel that will be provided to enable the student:
 - (a) To advance appropriately toward attaining the annual goals;
 - (b) To be involved and make progress in the general education curriculum in accordance with this section and to participate in extracurricular and other nonacademic activities; and

Finding:

Through a review of student files, present levels of academic achievement and functional performance did not consistently include skill based assessment in the area of social/behavior to support educational impact. Strength, needs and progress/involvement in the general curriculum were also omitted in one IEP.

Special education and related services to be provided did not consistently represent a clear understanding of the districts commitment of services to the student.

Corrective Action: Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	Timeline for Completion	Person(s) Responsible	(SEP Use Only) Date Met
Activity/Procedure: The district will review its policy, procedure and practice regarding: <ul style="list-style-type: none">• Referral and informal review• Determination of needed evaluations per suspected category of disability• The completion of prior notice/consent for evaluations needed for the purpose of determining eligibility and meeting notice• Development of evaluation reports that must be provided to parents including administering and reporting functional assessment. The districts functional assessment report will include a list of specific skills the student has (strengths) and a list of specific skills the student will need to learn (weaknesses) for each skill area affected by the disability including transition.• Determining eligibility and completing the eligibility document• Developing an IEP that provides educational benefit Data Collection: The district will receive technical assistance regarding these issues. The training date, provider and participants will be reported as part of the three month progress report.	January 1, 1012	Special Education Director and Staff	

<p>Each special education teachers and speech pathologist will submit for <u>one student who has been initially evaluated or reevaluated</u> a copy of the following:</p> <ol style="list-style-type: none"> 1. Referral document (if applicable) 2. The prior notice/consent for evaluation 3. Copies of <u>all</u> the evaluation reports including functional and transition 4. Copy of the prior notice for the eligibility/IEP meeting, 5. Copy of the MDT/eligibility document and; 6. Copy of the IEP <p>Note: Documentation submitted must show evidence of correction to all General Supervision issues above, therefore files submitted should be for students with behavior based eligibility. (Autism, OHI due to ADHD, ED etc.)</p> <p>Team leader will review the documentation submitted and report progress at the 3, 6 and 9 month reporting periods. Verification of compliance will be provided through a tracking document and submitted to the Special Education Director as submissions are reviewed.</p>			
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3 month Progress Report:

6 month Progress Report:

9 month Progress Report:

2. GENERAL SUPERVISION

24:05:27:01.02. Development, review, and revision of individualized education program. In developing, reviewing, and revising each student's individualized education program, the team shall consider the strengths of the student and the concerns of the parents for enhancing the education of their student, the results of the initial or most recent evaluation of the student, the academic, developmental, and functional needs of the student. The individualized education program team also shall:

(1) In the case of a student whose behavior impedes his or her learning or that of others, consider the use of positive behavioral interventions and supports and other strategies to address that behavior;

Finding:

Through a review of student files, students reported on child count with behavior based disabilities did not consistently have positive behavioral interventions and other strategies to address the behavior concerns.

Corrective Action: Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	Timeline for Completion	Person(s) Responsible	(SEP Use Only) Date Met
Activity/Procedure: Data Collection: Documentation submitted for General supervision #1 will be used to verify correction to this issue.	January 1, 2012	Special Education Director and Staff	

3 month Progress Report:

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9 month Progress Report: